

AMENDMENT UNDER 37 C.F.R § 1.111
U. S. Application No. 09/933,758

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. By this Amendment, Applicant has added new claims 23 and 24. Thus, claims 1-24 are now pending in the application. In response to the Office Action, Applicant respectfully submits that the pending claims define patentable subject matter.

I. Preliminary Matters

Claims 10 and 20 are objected to because the Examiner contends that these claims fail to further limit the subject matter of the base claims on which they are dependent. In particular, the Examiner contends that claim 10 restates limitations from claim 1 and claim 20 restates limitations from claim 14. However, Applicant respectfully submits that the objection is improper since claims 10 and 20 recite limitations which are different in scope from those in claims 1 and 14.

Claim 14 is objected to because lines 11 and 12 contain a grammatical informality (i.e., “said cropping area *being to be* scanned . . .”). By this Amendment, Applicant has amended claim 14 to improve clarity.

Accordingly, the Examiner is requested to remove the objection to the claims.

II. Prior Art Rejections

Claims 1-6 are rejected under 35 U.S.C. § 102(e) as being anticipated by Daniels et al. (USP 6,643,416; hereafter “Daniels”). Claims 14 and 15 are rejected under 35 U.S.C. § 103(a)

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as being unpatentable over Daniels in view of Parulski (USP 5,301,244). Claims 7-10, 13 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Gillman et al. (USP 6,208,770; hereafter “Gillman”). Claims 16-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Parulski and Gillman. Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Gillman and “Inside Adobe Photoshop 5”. Claim 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Parulski, Gillman and “Inside Adobe Photoshop 5”. Applicant respectfully traverses the prior art rejections.

A. Independent Claim 1

Claim 1 recites:

an image input device for entering image data from an original image,
an image processing device for processing said image data to produce an output image,
an image output device for outputting said output image as a hard copy or as data file, and
a resolution adjusting device for automatically adjusting an input resolution of said image input device in accordance with an output resolution of said image output device, a size or data pixel number of said output image, and a size of said original image.

Daniels discloses method and system for determining necessary resolution for a particular zoom and/or crop operation performed on an image based on empirically derived image quality data. An acceptability value (percentage) is specified for the image, where the acceptability value relates to the empirically derived image quality as perceived by a human viewer. For

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selected input and output devices, an image resolution is then generated from a combination of the particular zoom and crop and the specified acceptability value, where the image resolution is a minimally acceptable resolution, to produce the desired zoom and crop. If the desired zoom and crop will not produce the minimally acceptable resolution, a warning is provided to the user. In response to the warning, the user may adjust the zoom and crop amount, increase the scan resolution or modify the output medium.

With regard to independent claim 1, the Examiner cites Daniels for allegedly disclosing all of the features of the claimed invention including the resolution adjusting device. However, Applicant respectfully submits Daniels does not teach or suggest a resolution adjusting device for automatically adjusting an input resolution of said image input device in accordance with an output resolution of said image output device, a size or data pixel number of said output image, and a size of said original image, as required by claim 1. Rather, Daniels simply teaches that the input resolution of the scanner may be adjusted by the user, if the image resolution is not appropriate (column 7, lines 40-43). On the other hand, the claimed invention is particularly characterized by the resolution adjusting device which automatically adjusts the input resolution of the scanner, thereby improving work efficiency and enabling production of a high quality image.

Accordingly, Applicant respectfully submits that independent claim 1, as well as dependent claims 2-13, would not have been anticipated by or rendered obvious in view of Daniels because the cited reference does not teach or suggest all of the features of the claims.

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B. Independent Claim 14

Claim 14 recites in part:

a resolution setting device for obtaining an optimum resolution for said fine scanning mode on the basis of a size of the designated cropping area, a print size of said cropping area and an output resolution of said printer, and setting said higher resolution of said scanner at a value that is determined by said optimum resolution.

With regard to independent claim 14, the Examiner asserts that Daniels discloses all of the features of the claimed invention except for “provid[ing an] original image which is a low resolution preview image obtained in a pre-scanning mode of the scanner.” The Examiner further asserts that it would have been obvious to modify Daniels to include this feature in view of Parulski which the Examiner cites for allegedly disclosing a scanner with a pre-scanning mode which provides low resolution images that are used for image composition including designating a cropping area, and a final scanning mode for scanning the composed image in high resolution.

However, Applicant respectfully submits that the combination of Daniels and Parulski does not teach or suggest a resolution setting device which obtains an optimum resolution for a fine scanning mode and sets a higher resolution of scanner at a value that is determined by the optimum resolution, as required by claim 14. As discussed above, Daniels simply teaches that the input resolution of the scanner may be adjusted by the user, if the image resolution is not appropriate. Similarly, Parulski discloses a scanner whose resolution is also adjusted by the user (column 5, lines 20-30).

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Accordingly, Applicant respectfully submits that independent claim 14, as well as dependent claims 15-21, should be allowable because the cited references do not teach or suggest all of the features of the claims.

C. Independent Claim 22

With regard to claim 22, the Examiner asserts that Daniels discloses all of the features of the claimed invention except for the cropping area designation operation is performed on a thumbnail image. Claim 22 recites, in part, “a resolution converting device for converting resolution of said full-dressed image data into a value that is determined in accordance with an original size and the designated print size of said cropping area, and an output resolution of said printer.” However, Applicant respectfully submits that the combination of Daniels and Gillman does not teach or suggest the claimed resolution converting device. As discussed above, Daniels simply teaches that the input resolution of the scanner may be adjusted by the user, if the image resolution is not appropriate. Further, Gillman does not disclose a system to convert the resolution of image data which is read out.

Accordingly, Applicant respectfully submits that claim 22 should be allowable because the cited references do not teach or suggest all of the features of the claimed invention.

D. New Claims 23 and 24

Applicant has added new claims 23 and 24 to further provide additional coverage for the claimed invention. Applicant respectfully submits that the cited references do not teach or

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suggest “an image processing device for processing said first image data to correct color and gradation of the first image data to produce a first output image for display on said monitor and transferring correction parameters used to correct said color and said gradation to said image input device and processing said second image data to produce a second output image, wherein said image input device processes utilizes said correction parameters to generate said second image data”, as required by claim 23. Similarly, Applicant respectfully submits that the cited references do not teach or suggest “a resolution adjusting device for automatically adjusting an input resolution of said image input device in accordance with an output resolution of said image output device, a size or data pixel number of said output image, and a data pixel number of said image file”, as required by claim 24.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Christopher R. Lipp
Registration No. 41,157

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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